



"Elmer, Mark (ENRD)"
<MElmer@ENRD.USDOJ.
GOV>

02/08/2007 05:33 PM

To "John D. Fognani" <jfognani@fognanilaw.com>
cc "Sue A. O'Neil" <soneil@fognanilaw.com>, Peggy
Livingston/ENF/R8/USEPA/US@EPA
bcc

Subject RE: Richardson Flat - 12/20/06 correspondence
attached

John,

This confirms our receipt of your payment of \$386.14, which satisfies Noranda's/Falconbridge's payment obligations under the past costs consent decree for the Richardson Flat Site.

Regards,

Mark

From: John D. Fognani [mailto:jfognani@fognanilaw.com]
Sent: Tuesday, January 30, 2007 2:30 PM
To: Elmer, Mark (ENRD)
Cc: Sue A. O'Neil
Subject: RE: Richardson Flat - 12/20/06 correspondence attached

Mark — Would you please send some type of confirmation that the payment of the interest component of the escrow satisfies Noranda's/Falconbridge's final requirement under the lodged and entered Consent Decree. I appreciate it so that we can close this file. Thanks. John

From: Elmer, Mark (ENRD) [mailto:Mark.Elmer@usdoj.gov]
Sent: Wednesday, January 10, 2007 11:05 AM
To: John D. Fognani
Subject: RE: Richardson Flat - 12/20/06 correspondence attached

John,

Has the interest payment been made?

Thanks,

Mark

From: John D. Fognani [mailto:jfognani@fognanilaw.com]
Sent: Friday, December 29, 2006 7:15 AM
To: Elmer, Mark (ENRD)
Cc: Livingston.Peggy@epamail.epa.gov; oreilly.maureen@epa.gov; Koga, Debbie (USAUT); Fenlon-Gore, Peggy (ENRD); Sue A. O'Neil
Subject: RE: Richardson Flat - 12/20/06 correspondence attached
Mark — As mentioned previously, I do not anticipate that this will be a problem or an issue. Although your letter requests payment by the 31st, I would like to request the opportunity to arrange for payment during

the first week of January especially given the fact that most people are on a holiday schedule.

Please let me know if that will be a problem on your side. Best wishes to you and to all listed as copied on this note for the holidays and the New Year. John

From: Elmer, Mark (ENRD) [mailto:Mark.Elmer@usdoj.gov]

Sent: Wednesday, December 20, 2006 10:04 AM

To: John D. Fognani

Cc: Livingston.Peggy@epamail.epa.gov; oreilly.maureen@epa.gov; Koga, Debbie (USAUT); Fenlon-Gore, Peggy (ENRD)

Subject: Richardson Flat - 12/20/06 correspondence attached